

65- INDEPENDENT AGENCIES - REGULATORY

407 - PUBLIC UTILITIES COMMISSION

CHAPTER 294 - LIFELINE and LINK UP SERVICE PROGRAMS

SUMMARY - This rule establishes eligibility criteria for Maine's Lifeline and Link Up programs. In addition, the rule addresses the level of discounts and verification of eligibility. This Rule applies to all carriers offering Lifeline or Link Up benefits.

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§1. DEFINITIONS

A. Lifeline Service. Lifeline service is a discounted retail local telephone service offering available to qualifying low-income consumers.

B. Link Up Service. Link Up service is a discounted retail local telephone service installation offering available to qualifying low-income customers.

C. Eligible Telecommunications Carrier. An eligible telecommunications carrier (ETC) is one designated as such by the Commission pursuant to the carriers meeting the criteria outlined in 47 U.S.C. §214 (e)(1).

D. Qualifying Low-Income Customer. A customer who, either directly or through a member of his or her household, qualifies for one or more of the programs designated as eligibility criteria for Lifeline and Link Up service.

§2. ELIGIBILITY

A customer is eligible for Lifeline and Link Up service if a member of the household qualifies for benefits under one or more of the following programs: food stamps, Supplemental Social Security Income (SSI), Medicaid (including expanded Maine Medicaid), Temporary Assistance for Needy Families (TANF), Emergency Assistance Program, or Home Energy Assistance Program (HEAP). The Commission may add additional programs to this list provided that the income guidelines for participation are less than or equal to those of the programs already included and that participation in the program is easily verifiable.

§3. ENROLLMENT

Applicants for Lifeline and Link Up service may orally declare their eligibility to the ETC based on their receipt of benefits under one or more of the programs listed in Section 2. Applicants must provide their welfare ID number or their social security number, depending on the program under which they qualify. Applicants may also enroll in writing directly to the ETC, through a social service agency soliciting applications for an ETC, or through any other administrative entity designated by an ETC or the Commission.

Eligible telecommunications carriers shall provide Lifeline and Link Up service as provided by this Rule. A consumer eligible for Lifeline service is automatically eligible for Link Up service. However, a consumer may qualify for and receive Link Up Service independently of Lifeline service.

§4. DISCOUNTS

A. Lifeline Support Amounts.

Lifeline support amounts per qualifying low-income customer shall be provided according to the provisions of this section. The total monthly support provided through state and federal discounts is \$10.50.

1. Federal baseline Lifeline support amount. An eligible telecommunications carrier shall waive the \$3.50 monthly federal subscriber line charge to qualifying low-income consumers. If the eligible telecommunications carrier does not charge the federal SLC, it shall apply the \$3.50 federal baseline support amount to reduce its lowest tariffed residential rate for supported services.

2. Additional federal support. An eligible telecommunications carrier shall reduce by \$3.50 the monthly amount of intrastate charges paid by qualifying low-income customers for local service.

3. State support. An eligible telecommunications carrier shall reduce by \$3.50 the monthly amount of intrastate charges paid by qualifying low-income customers for local service.

4. Discounts not to exceed charges. Consumers may not receive discounts greater than the amount of their total tariffed charges for local service and the subscriber line charge.

B. Link-Up Support Amounts.

A qualifying low-income consumer may choose one or both of the programs set forth in paragraphs (1)(a) and (b) of this subsection.

1. Discount in Connection Charge.

a. A qualifying low-income consumer may receive a reduction in the eligible telecommunications carrier's customary charge for commencing telecommunications service for a primary single line connection at the consumer's principal place of residence. The resultant rate shall not exceed \$10.00.

b. A qualifying low-income consumer may receive a deferred schedule for payment of the charges assessed for commencing service, for which the consumer shall not pay interest. The interest charges not assessed the consumer shall be for connection charges of up to \$200 that are deferred for a period not to exceed one year. Charges assessed for commencing service include any charges that the carrier customarily assesses to connect subscribers to the network. These charges do not include any permissible security deposit requirements.

2. Limitation on receipt. An eligible telecommunications carrier's Link Up program shall allow a qualifying low-income consumer to receive the benefit of the Link Up program for a second or subsequent time only for a principal place of residence with an address different from the residence address at which the Link Up assistance was provided previously.

3. Link Up support credit. Federal support shall be the lesser of \$30 or one-half of the tariffed charge for installation. State support shall be the amount required to reduce the rate for installation to \$10.00.

C. Rate Schedules.

Each carrier designated an eligible telecommunications carrier shall file both a wholesale and retail rate schedule, where applicable, to implement Lifeline service and Link Up Service, or revise its existing schedule for compliance with this section and with applicable law.

§5. VERIFICATION

Each carrier offering Lifeline or Link Up service shall at least annually generate a list of its customers (and their welfare ID number or social security number) who are receiving Lifeline or Link Up benefits and submit that list to the Department of Human Services for eligibility verification. Community Action Program agencies may also perform verification.

§6. OUTREACH EFFORTS

Eligible telecommunications carriers must support efforts to increase awareness of Lifeline and Link Up service. These efforts may be undertaken by or on behalf of the individual ETC or a consortium of ETCs. Regardless of the body performing the outreach, the individual ETC shall be accountable for the efficacy of the effort. The Director of the Consumer Assistance

Division shall review the outreach reports filed pursuant to section 7 to ensure that qualifying low-income customers in an ETC's service area are made sufficiently aware of the Lifeline and Link Up programs. Each customer must be informed of the program at the time that the customer requests service, and each customer must receive notification of the program and its guidelines at least once per year by mail.

§7. REPORTING REQUIREMENTS

An eligible telecommunications carrier providing Lifeline service pursuant to this Rule shall report the following information to the Commission.

A. Initial Reporting Requirements. An eligible telecommunications carrier shall provide the Commission with information demonstrating that its Lifeline and Link Up programs meet the requirements of this Rule.

B. Annual Outreach Report. At least annually, an eligible telecommunications carrier shall provide a summary of outreach efforts undertaken pursuant to Section 6. All carriers offering Lifeline and or Link Up service must provide the appropriate social service agencies and the Commission with an index of central office codes within their service territory and also designate a single contact person for Lifeline and Link Up issues.

C. Monthly Reporting Requirements. An eligible telecommunications carrier shall report monthly to the Commission's Administrative Director the total number of qualified low-income customers to whom Lifeline service or Link Up service was provided by the eligible telecommunications carrier.

D. Other Reporting Requirements. An eligible telecommunications carrier shall report any other information required by the Commission.

§8. OTHER CARRIERS

Carriers other than ETCs may offer Lifeline and Link Up service. Any carrier offering these services is subject to the requirements of this rule. The rate for these services is capped at the highest level charged by any ETC in the relevant service area. In the case of resellers of ETC service, the rate shall be capped at the level of the ETC whose services are being resold.

§9. WAIVERS

Upon the request of any person subject to the provisions of this Chapter or upon its own motion, the Commission may waive any of the requirements of this Chapter that are not required by statute. Where good cause exists, the Commission or the Director of Consumer Assistance may grant the requested waiver, provided that the granting of the waiver is not inconsistent with the purposes of this Chapter or Title 35-A.

BASIS STATEMENT: The factual and policy basis for this rule is set forth in the Commission's Order Adopting Rule and Statement of Factual and Policy Basis, Commission Docket No. 98-724, issued on February 22, 1999. Copies of this Order and Statement have been filed with this rule at the Office of the Secretary of State. Copies may also be obtained from the Administrative Director, Public Utilities Commission, 242 State Street, 18 State House Station, Augusta, Maine 04333-0018.

AUTHORITY: 35-A M.R.S.A. §§ 7101, 7104

EFFECTIVE DATE: This rule was approved as to form and legality by the Attorney General on _____. It was filed with the Secretary of State on _____ and will be effective on _____.